

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
SUPPLEMENTAL DOCKET NUMBER 3  
FOR THE REGULAR MEETING OF  
MONDAY, MARCH 22, 2004 AT 2:00 P.M.  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTION:

ITEM-S403: San Diego City Council Temporary Rule for Noticing and Conduct of Closed Session Meetings and Related Matters.

At the regular meeting of the City Council on March 15, 2004, the Council considered the matter of compliance with the California Brown Act and the noticing of matters for open and closed sessions of the San Diego City Council. Specifically, the City Council considered recommendations contained in a Report from Deputy Mayor Atkins and Councilmember Frye dated March 15, 2004. The City Council gave direction at the aforementioned meeting to the City Attorney to prepare for the regular meeting of the City Council on March 22, 2004 all necessary documents for the City Council to adopt and/or procedurally implement the recommendations contained in the Report from Deputy Mayor Atkins and Councilmember Frye. The City Council gave further direction to the City Attorney to analyze and comment upon the recommendations contained in the Report from Deputy Mayor Atkins and Councilmember Frye.

**(See City Attorney’s Report No. RC-2004-8)**

**TODAY’S ACTION IS:**

Adopt the following resolution:

(R-2004-982)

Adopting a temporary rule, attached as Attachment “A” and incorporated herein by reference, which shall be called the “San Diego City Council Temporary Rule for Noticing and Conduct of Closed Session Meetings;”

Declaring that the San Diego City Council Temporary Rule for Noticing and Conduct of Closed Session Meetings as set forth in Attachment “A” shall remain in effect for 120 calendar days from adoption or until such time that the Permanent Rules of the City Council are effectively amended to incorporate the subject matter addressed in the temporary rule, whichever occurs first;

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTION: (Continued)

ITEM-S403: (Continued)

Declaring that in accordance with Rule 31 of the Permanent Rules of the City Council, while the San Diego City Council Temporary Rule for Noticing and Conduct of Closed Session Meetings is in effect, if any provision of the temporary rule is in conflict with a Permanent Rule, the San Diego City Council Temporary Rule for Noticing and Conduct of Closed Session Meetings shall supersede and govern;

Establishing an Ad-Hoc subcommittee of three Council members to be known as the "Right to Know Committee." This Committee shall draft a proposal for a new Permanent Rule of the City Council to address the topic covered by the San Diego City Council Temporary Rule for Noticing and Conduct of Closed Session Meetings. The Right to Know Committee shall file a final report with the Rules Committee no later than 60 days after its first meeting, outlining a proposal for amendments to the Permanent Rules of the Council, which amendments shall be considered by the Rules Committee in accordance with Permanent Rule 33. In addition to the topic covered by the San Diego City Council Temporary Rule for Noticing and Conduct of Closed Session Meetings, the Right to Know Committee may consider and propose amendments to the Permanent Rules of the City Council with respect to the following topics: serial meetings; non-agenda public comment; the public's ability to obtain documents; noticing of meetings; and Brown Act compliance of City of San Diego boards, commissions, and committees. The Right to Know Committee shall be subject to the provisions of the Brown Act;

Directing the City Attorney to prepare a ballot measure, in the normal course of preparation of such matters for consideration by the Rules Committee, for placement on the November 2004 ballot for the purpose of amending the San Diego Charter to add a provision similar to California Senate Constitutional Amendment No. 1 (SCA 1), attached as Attachment "B" and hereby incorporated by reference, which is a proposed amendment to the Constitution of the State of California adopted by the State Legislature and scheduled for voter consideration on the November 2004 statewide ballot.